

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

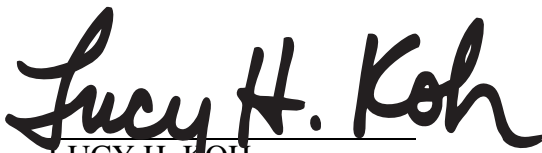
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|------------------------|---|------------------------|
| SAMUEL L. GORE, |) | No. C 12-5108 LHK (PR) |
| |) | |
| Plaintiff, |) | ORDER OF DISMISSAL |
| |) | |
| vs. |) | |
| |) | |
| WALKENHORST'S, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |

On October 1, 2012, Plaintiff, proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On October 25, 2012, Plaintiff filed a motion for leave to proceed in forma pauperis ("IFP"). On November 21, 2012, the Court dismissed Plaintiff's complaint with leave to amend, and denied Plaintiff's motion for leave to proceed IFP. Plaintiff was cautioned that his failure to pay the filing fee within thirty days would result in the dismissal of this action. In addition, Plaintiff was advised that his failure to file an amended complaint within thirty days would result in the dismissal of this action. To date, Plaintiff has not paid his filing fee or filed an amended complaint.

Thus, the instant action is DISMISSED without prejudice. The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

DATED: 1/2/13


LUCY H. KOH
United States District Judge